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SUMMARY RECORD OF THIRD MEETING OF  
QUADRIPARTITE WORKING GROUP ON GERMANY AND BERLIN  
JANUARY 29, 1960

Participants:

France

Mr. Laloy  
Mr. Winkler

Germany

Mr. Krapf  
Mr. Pauls  
Mr. Osterheld

United Kingdom

Mr. Logan

United States

EUR - Mr. Kohler  
GER - Mr. Hillenbrand  
Mr. McKiernan  
L/EUR - Mr. Kearney  
SOV - Mr. McShweeney  
Mr. Dean

Defense - Col. Schofield

Mr. Kohler suggested that the group begin by discussing the two short French papers presented at the last meeting (II WWG/1.2 and II WWG/5.3). Mr. Krapf asked if Mr. Laloy's remarks in the last meeting about the military weakness of the Western position in Berlin indicated a changed French assessment of the situation there. Mr. Laloy replied that he had not wished to give this impression. The military situation in Berlin remains as it always has been, but considered in isolation and purely as a military situation, it is an extremely weak one. He had pointed out, however, that this is only one part of the situation and that the political aspects of the Berlin problem presented a much more differentiated picture, with weaknesses and advantages for both sides. In practical terms, this meant that if the Soviets took certain actions with regard to Berlin, they were vulnerable to perhaps rather telling Western criticism that their actions were not in harmony with other Soviet policy aims such as their ostensible desire for a detente in the West. Mr. Kohler said that he agreed with this analysis, which corresponded to the American appreciation of the Berlin situation. Mr. Logan also agreed and stated that this was the British view of the Berlin problem.

Mr. Logan asked, with regard to the first of the principles laid down in the French paper (i.e., the necessity for continuation of the present juridical status of Berlin in order to provide a raison d'etre for the

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continuation of Western forces there), whether there might not be other ways to keep Western troops in Berlin. It was probable, however, that the Soviets would link the two subjects of occupation rights and the continuation of Western forces, insisting that a change in the occupation status would remove the legal basis for continuation of troops in Berlin. Nevertheless, the question was one which should be further studied by the Working Group. Mr. Krapf said that one of the German objections to a changed status for Berlin was that even in the event that agreement were reached on a new status with the Soviets, they would surely insist that it be limited in time rather than having an indefinite duration as with the present status. The West would then be faced with further Soviet attempts to force it out of Berlin within a relatively short time.

Mr. Laloy said that the French Foreign Office had looked for substitutes for the present juridical position in Berlin but had been unable to find any adequate ones. Even if one supposed that the Soviets might agree that the West Berlin authorities had the legal right to invite Western forces to remain in Berlin, what would be the function of these forces? It would scarcely be military defense. Their present value is to act in case of emergency and for this they must have full freedom of action. If they are in Berlin on the basis of a special agreement they will have no freedom of action of their own and their anomalous position will also sharply decrease their ability to maintain Berlin morale through their presence. Furthermore, in the unlikely event of Soviet agreement to a changed status of Western forces in Berlin, this agreement would almost certainly be limited in time. Mr. Krapf noted that if Western forces in Berlin became numerically too small, they would not be able to fulfill their function as "shield forces" for Berlin to activate NATO military assistance in the event of Eastern attack. Mr. Logan stated that the Soviets had given the impression last May that they would be willing for some Western forces to remain in Berlin on a changed basis, but that the U.K. had no ideas for a new status for Berlin.

Mr. Kohler said the French paper was most useful and would be used by the Working Group as a basis for further work. He read a draft U.S. paper on minimum requirements for Berlin which illustrated a possible application of the general principles contained in the French paper. He suggested that it might be possible in further preparations to continue to utilize the French paper on Berlin principles and to back it up with a working group paper applying these requirements in detail. Mr. Kohler then submitted a U.S. paper comparing Western position on free elections in Viet-Nam with our position in free elections for Germany (II WNG/8.2).

Mr. Laloy then commented on the U.S. paper comparing the Japanese peace treaty with the threatened Soviet peace treaty for Eastern Germany.

Mr. Hillenbrand

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Mr. Hillenbrand noted that our main refutation to an anticipated Khrushchev attack on this point would be that the U.S.S.R. had participated in the negotiation of the Japanese peace treaty and had then refused to sign it. Mr. Kohler pointed out that Khrushchev himself had indicated that Soviet interests might have been better served had the U.S.S.R. become a party to the treaty.

Mr. Kohler mentioned the Gruson story in the New York Times of January 29 concerning the allegedly new legal position regarding the Federal Republic's links with Berlin developed by the German Federal Government. He pointed out that, in practice, the Federal Republic already has a veto right over Western policy towards Berlin and German reunification as the President and Secretary of State themselves have said to German leaders. Mr. Kohler noted that we have been informed that we would receive the legal opinion in question from von Brentano. Mr. Krapf noted that as far as he knew the paper prepared by the Foreign Office contained nothing new and was merely a summary of known historical and legal facts on the status of Berlin. Mr. Kohler noted that his only concern was that the Western position on occupation rights not be weakened through the form chosen for the presentation of German views.

Mr. Laloy said he presumed the Working Group would approach the question of German reunification by again examining the Western Peace Plan. Mr. Kohler agreed. Mr. Laloy noted that the French did not feel it necessary to add important new elements to the Peace Plan but were willing to consider minor changes designed to make it more interesting to public opinion. Mr. Kohler said that since it was believed that the Soviets would emphasize the peace treaty tactic, we believe we should go back to the all-German question on the basis of the Western Peace Plan as a counter-tactic. For this reason, we would suggest that the Quadripartite Group go back over the Peace Plan and review it carefully. It was possible that the Five-Power Disarmament Group might produce some innovations having to do with European security, and we had already tabled a proposal for a plebiscite which we hoped could be built into the Peace Plan. We would continue to maintain the basic principles of the Peace Plan but would be open to any suggestions for improvement.

Mr. Laloy said that he agreed with this approach. He asked in what form the practical question of over-all tactics for the East-West summit meeting would be discussed, i.e., in the Quadripartite Group or elsewhere. Mr. Kohler said we envisaged a tactics paper regarding Berlin and the German question as one result of the work of the Quadripartite Group. We believed that diplomatic channels rather than some form of steering group should then be used to correlate the results of the Quadripartite Group with those of the groups working on disarmament and East-West relations.

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This would not occur until a later stage in the preparation, with the first deadline being perhaps the Washington meeting of the Foreign Ministers in April. Mr. Laloy said this procedure was agreeable to him. Mr. Kohler said he felt the Quadripartite Group now had a number of papers to work on, including a more considered comment on the French papers, the two German papers, and the U.S. plebiscite proposal. He suggested the Quadripartite Group meet about once a week and more often if necessary and that the pace of the meetings could be stepped up as required shortly before the April Foreign Ministers' meeting.

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